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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF LOS ANGELES**

16 **ADRIAN RISKIN,**

17 Petitioner,

18 vs.

19 **PARTNERSHIPS TO UPLIFT COMMUNITIES,**

20 Respondent.
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Case No.

**Verified Petition for Writ of Mandate
Ordering Compliance with the California
Public Records Act**

[Government Code §§ 6250 *et seq.*; Code of
Civil Procedure § 1085]

1 Petitioner Adrian Riskin petitions this Court for a writ of mandate requiring Respondent Partnerships
2 to Uplift Communities (“PUC”) to immediately make available to Petitioner public records lawfully
3 requested by Petitioner pursuant to the California Public Records Act (“CPRA”), Government Code §
4 6250, *et seq.* Petitioner also respectfully requests that this Court grant relief in the form of costs of suit,
5 attorney’s fees, and other appropriate and just relief resulting from Respondent’s unlawful conduct.
6 Petitioner alleges as follows:

7 **PARTIES**

8 1. Petitioner Dr. Adrian Riskin is a resident of Los Angeles, professor at a local college, and an
9 open records activist. Using the CPRA to investigate and understand the activities of the Los Angeles
10 City government, Riskin makes all his findings freely available to the public through blogging and
11 community events. Though his CPRA work covers many local government agencies, public records
12 obtained by Riskin regarding charter schools have been written about in the Los Angeles Times, and
13 featured in advertisements by United Teachers Los Angeles. Riskin has also helped to empower the
14 public by publishing a guide to the practical use of the CPRA in the City of Los Angeles. Riskin is a
15 member of the public within the meaning of §§ 6252(b)-(c).

16 2. Respondent PUC is an entity managing a charter school subject to the CPRA under Education
17 Code § 47604.1(b)(2).

18 **JURISDICTION AND VENUE**

19 3. This court has jurisdiction over this petition pursuant to Government Code sections 6258 & 6259
20 and Code of Civil Procedure § 1085.

21 4. Venue is proper in this Court. The records in question, or some portion of them, are situated in
22 the County of Los Angeles. *See* Gov’t Code § 6259(a). Also, Respondent’s principle place of business is
23 located in the County of Los Angeles. *See* Code Civ. Proc. § 395.5.

24 **GENERAL ALLEGATIONS**

25 5. This dispute arises from the failure of PUC to respond to a request for public records.

26 6. On June 11, 2019, Petitioner made a records request on Respondent pursuant to the CPRA. The
27 request gave a timeframe, and asked for a limited number of specified emails. A true and correct copy of
28 the request is attached as Exhibit A.

7. All entities subject to the CPRA are required to respond within 10 days from the receipt of the request with a determination of whether the agency possesses responsive documents. See Gov't Code section 6253(c).

8. On June 23, 2019, 11 days after submitting his request, Petitioner had received no response and emailed Respondent to check on the status of his request. A true and correct copy of this email is attached as Exhibit B.

9. On July 8, 2019, 26 days after submitting his request, Petitioner had received no response and again emailed Respondent to check on the status of his request. A true and correct copy of this email is attached as Exhibit C.

10. On September 22, 2019, 111 days after submitting his request, Petitioner informed Respondent that he would, “proceed as if your school had explicitly denied me access to these public records” unless Petitioner had received a response by September, 27, 2019. A true and correct copy of this email is attached as Exhibit D.

11. Petitioner has not received any response from Respondent regarding his June 11, 2019 CPRA request.

CAUSE OF ACTION

For Violations of the California Public Records Act, Gov't Code § 6250 *et seq.*

12. Petitioner realleges and incorporates by reference the preceding paragraphs in this Petition.

13. Pursuant to Government Code § 6258, any persons may “institute proceeding for injunctive or declaratory relief or writ of mandate in any court of competent jurisdiction to enforce his or her right to inspect or receive a copy of any public record or class of public records under this chapter.”

14. The records Petitioner seeks are public records, i.e., writings related to the conduct of the public's business.

15. Upon information and belief, Petitioner alleges that Respondent prepared, retained, used, or has control or constructive possession of public records that are responsive to Petitioner's request.

16. Petitioner alleges in accordance with Government Code § 6259(a) that the information it seeks from Respondent is maintained in Los Angeles County.

17. Respondent's failure to provide responsive public records violates the CPRA.

1 18. Petitioner requests that this Court issue a writ of mandate compelling Respondent to release the
2 requested records.

3 **REQUEST FOR RELIEF**

4 WHEREFORE, Petitioner respectfully requests judgement as follows:

5 1. That the Court issue a peremptory writ of mandate directing Respondent to make all
6 requested documents available for inspection and provide a quote for direct costs of duplication
7 of the records within 10 days of this Court's order directing that they do so;

8 2. That the Court enter an order awarding Petitioner his costs of suit and reasonable
9 attorney's fees and costs incurred in bringing this litigation;

10 3. For such other relief as this Court deems just and proper.

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12 Dated: XXXXX

13 By: /s/ Robert Ian Stringham
14 Robert Ian Stringham

15 By: /s/ Tasha Alyssa Hill
16 Tasha Alyssa Hill

17 Attorneys for Petitioner
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VERIFICATION

I, Adrian Riskin, have read the foregoing Petition for Writ of Mandate and know the contents thereof.
The same is true of my own knowledge, except as to those matters alleged on information and belief,
and, as to those matters, I also believe them to be true.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed on _____, in Los Angeles, California.

By: _____
Adrian Riskin